

WEDNESDAY, JANUARY 25, 2012

FORTY-SIXTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Steve Mayle, Roundlick Baptist Church, Watertown, TN.

Representative Pody led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Carr; personal

Representative Odom; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2352 Rep(s). Maggart as prime sponsor(s).

House Bill No. 2488 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 2489 Rep(s). S. Jones as prime sponsor(s).

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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VERSION**

House Bill No. 2492 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 2493 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 2607 Rep(s). Floyd as prime sponsor(s).

House Bill No. 2939 Rep(s). S. Jones as prime sponsor(s).

**ENROLLED BILLS
January 24, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 208; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 24, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 528, 529 and 530; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
January 24, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 528, 529 and 530.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 595 -- Naming and Designating - "Rescue Squad Day," March 1, 2012. by *Cobb.

House State and Local Government Committee

***House Joint Resolution No. 596** -- Memorials, Congress - Urges passage of legislation to modernize the federal Toxic Substances Control Act of 1976 by strengthening chemical management through certain policy reforms. by *Gillmore.

House Conservation and Environment Committee

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***House Joint Resolution No. 597** -- General Assembly, Directed Studies - Directs the Tennessee Higher Education Commission to establish a committee on Internet privacy for higher education. by *Lollar.

House Education Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 26, 2012:

House Joint Resolution No. 593 -- Memorials, Recognition - Northeast Middle School, International Technology and Engineering Educators Association's Program Excellence Award. by *Pitts.

House Joint Resolution No. 594 -- Memorials, Professional Achievement - Jack Price, 2011 Outstanding New Member Award by Tennessee Association of Assessing Officers. by *Harrison.

House Joint Resolution No. 598 -- Memorials, Death - Joseph Robert "J.R." Jones. by *Ford .

House Joint Resolution No. 601 -- Memorials, Public Service - Bill Jim Davis. by *Naifeh.

House Joint Resolution No. 603 -- Memorials, Retirement - Brian Smith. by *Brooks K, *Watson.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2857 -- Criminal Offenses - As introduced, increases the punishment for assault and aggravated assault against health care providers. - Amends TCA Title 39, Chapter 13. by *Maggart.

***House Bill No. 2858** -- DUI Offenses - As introduced, permits a person who has been properly trained to draw blood to do so for purposes of DUI investigation; removes the requirement that a phlebotomist taking blood for DUI investigation be certified or nationally registered; and protects both from civil or criminal immunity unless it arises from that person's negligence. - Amends TCA Title 55, Chapter 10. by *Maggart.

***House Bill No. 2859** -- Judicial Officers - As introduced, authorizes the general sessions judges of Williamson County to appoint judicial commissioners; clarifies that when the general sessions judges cannot agree on a judicial commissioner appointment, the chief legislative body shall appoint the judicial commissioner; however, the general sessions judges would still supervise that judicial commissioner. - Amends TCA Title 40, Chapter 1. by *Sargent.

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***House Bill No. 2860** -- Law Enforcement - As introduced, requires that officers who knowingly provide POST with false or misleading information concerning histories be decertified, removed from office, and be deemed ineligible to apply for a new law enforcement position in Tennessee; requires denial of application for POST certification of an applicant who knowingly provides POST with false or misleading information. - Amends TCA Title 4; Title 8; Title 38; Title 39 and Title 40. by *Brooks H.

House Bill No. 2861 -- Lottery, Scholarships and Programs - As introduced, requires THEC to make recommendations for change to the lottery scholarship eligibility for GED recipients in light of impending changes to the GED test by the American Council on Education. - Amends TCA Title 49. by *Brooks H.

***House Bill No. 2862** -- Teachers, Principals and School Personnel - As introduced, creates a state bonus for teachers scoring 3 or higher on their evaluations. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 5. by *Brooks H.

House Bill No. 2863 -- Newspapers and Publications - As introduced, requires the delivery of newspapers and tabloids be only to persons who have requested such delivery. - Amends TCA Title 62. by *Brooks H.

***House Bill No. 2864** -- Education - As introduced, requires THEC to give notice of meetings of the consortium for cooperative innovative education to the senate and house education committees with an attached agenda; requires annual report of the consortium to state the number of times it met and summarize the work performed. - Amends TCA Title 49. by *Brooks H.

***House Bill No. 2865** -- Criminal Procedure - As introduced, allows nonviolent offenders who have completed all requirements of their sentence and have no violent convictions to petition the court for expungement of their criminal records every two years. - Amends TCA Title 40, Chapter 32. by *Camper.

***House Bill No. 2866** -- Education - As introduced, requires each LEA to develop a policy that would require students to complete at least 75 hours of service learning prior to high school graduation. - Amends TCA Title 49, Chapter 6. by *Camper.

House Bill No. 2867 -- Education - As introduced, includes "maintaining a safe environment" among the reasons for prohibiting persons other than staff, students, parents and persons with lawful business from entering school property during school hours. - Amends TCA Title 49. by *Brooks H.

***House Bill No. 2868** -- Criminal Offenses - As introduced, includes the commission of or attempt to commit a criminal gang offense within the definition of racketeering activity and enterprise for purposes of the Racketeer and Corrupt Organization Act (RICO). - Amends TCA Title 39, Chapter 12, Part 2. by *Dean.

***House Bill No. 2869** -- Criminal Offenses - As introduced, creates a separate offense for participating in criminal gang activity. - Amends TCA Title 39, Chapter 17 and Title 40, Chapter 35. by *Dean.

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House Bill No. 2870 -- Highways, Roads and Bridges - As introduced, revises structure and operation of certain county highway departments. - Amends TCA Title 54, Chapter 7. by *Dean.

***House Bill No. 2871** -- Welfare - As introduced, directs a summer study by the department of human services to examine the efficiency of the department's sliding scale distribution of benefits to recipients whose income increased to the maximum amount to receive benefits. - Amends TCA Title 71, Chapter 5, Part 3. by *Hurley.

***House Bill No. 2872** -- Appropriations - As introduced, makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2012 session of the 107th General Assembly. by *Sargent.

House Bill No. 2873 -- Education - As introduced, allows county boards of education to use the county's centralized purchasing system to provide a life insurance plan for employees. - Amends TCA Title 5; Title 8 and Title 49. by *Ragan.

***House Bill No. 2874** -- Alcoholic Beverages - As introduced, authorizes the sale of wine at retail food stores in any jurisdiction only upon approval in a referendum in such jurisdiction. - Amends TCA Title 57. by *Lundberg.

House Bill No. 2875 -- County Boundaries - As introduced, requires the division of property assessments to determine whether the detachment of certain property from Davidson County and the attachment of the property to Wilson County would be contrary to the provisions of Article X, Section 4 of the Constitution of Tennessee concerning the area of a county and the distance from a county line to a courthouse of an adjoining county. by *Gotto.

***House Bill No. 2876** -- General Assembly - As introduced, requires members who live within 50 miles of capitol building to be reimbursed actual expenses upon filing receipts, except such amount shall not exceed the federal employee allowance for expenditure reimbursement. - Amends TCA Title 3, Chapter 1, Part 1. by *Gotto.

***House Bill No. 2877** -- Eminent Domain - As introduced, eliminates the power of eminent domain for housing authorities and permits governing bodies to institute eminent domain proceedings on behalf of housing authorities. - Amends TCA Title 12; Title 13 and Title 29. by *Gotto.

***House Bill No. 2878** -- Highway Signs - As introduced, names bridge on S.R. 96 in Williamson County in honor of the late Master Sergeant James W. "Tre" Ponder III, U.S. Army. by *Casada, *Sargent.

***House Bill No. 2879** -- Parks, Natural Areas Preservation - As introduced, increases from two to three years time after designation into the system that the commissioner of environment and conservation have completed a comprehensive plan of development and protection and begun the process of acquisition. - Amends TCA Title 11 and Title 60. by *Casada.

***House Bill No. 2880** -- Highways, Roads and Bridges - As introduced, revises highways on which outdoor advertising is prohibited. - Amends TCA Section 54-21-118. by *Casada.

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***House Bill No. 2881** -- Insurance, Health, Accident - As introduced, requires individual and group health insurance policies to cover neuropsychological testing for children who have been diagnosed with cancer who have undergone radiation or chemotherapy for cancer. - Amends TCA Title 56 and Title 71. by *Casada.

***House Bill No. 2882** -- Criminal Offenses - As introduced, criminalizes the act of filing a lien without a reasonable basis or legal cause to do so. - Amends TCA Title 39, Chapter 17. by *Coley.

***House Bill No. 2883** -- Local Education Agencies - As introduced, allows local boards of education to conduct scheduled board meetings electronically in some circumstances. - Amends TCA Title 8, Chapter 44, Part 1 and Title 49, Chapter 2. by *Fitzhugh.

***House Bill No. 2884** -- Funeral Directors and Embalmers - As introduced, increases the range of fines from \$100-\$500 to \$500-\$1,000 for any person who fails to place concise wording describing the material used to make a receptacle or container used for burial, entombment or other final disposition of a human body or remains. - Amends TCA Title 32; Title 47; Title 62, Chapter 5 and Title 68. by *Fitzhugh.

***House Bill No. 2885** -- Campaigns and Campaign Finance - As introduced, creates Class C misdemeanor for any corporation or other business entity that receives state grants, bonds or tax credits to make contributions to candidates for state or local public office or to PACs that contribute to state or local candidates during any two-year election cycle in which such grants, bonds or tax credits were received. - Amends TCA Title 2, Chapter 10. by *Fitzhugh.

***House Bill No. 2886** -- Highway Signs - As introduced, prohibits outdoor advertising on State 840 in Williamson County between State Route 246 and State Route 100; clarifies that former Interstate 181 in Washington and Sullivan counties is now called Interstate 26. - Amends TCA Section 54-21-118. by *Casada.

***House Bill No. 2887** -- Homestead Exemptions - As introduced, exempts an individual's residence including no more than one-half acre of contiguous land from execution for debts other than taxes and debts used to purchase the home or where the home was pledged as collateral for a debt. - Amends TCA Title 26, Chapter 2, Part 3. by *Casada.

***House Bill No. 2888** -- Liens - As introduced, creates the Class E felony of preparing, signing or filing a lien or other document intended to encumber land when the person has no reasonable legal basis for placing the lien on the property. - Amends TCA Title 39, Chapter 17, Part 1. by *Watson, *Maggart, *Lundberg, *Matheny.

House Bill No. 2889 -- Taxes, Exemption and Credits - As introduced, authorizes a sales tax refund on purchases made by persons receiving insurance settlements or filing insurance claims for damages resulting from disasters occurring in 2011; extends the filing deadline for applications to June 30, 2012. - Amends TCA Title 67, Chapter 6, Part 3. by *Watson.

House Bill No. 2890 -- Drug and Alcohol Rehabilitation - As introduced, provides that a person is eligible for drug court if the person has been charged with but not convicted of a violent felony or does not have a pattern of convictions for violent misdemeanors. - Amends TCA Title 16, Chapter 22, Part 1. by *Watson.

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House Bill No. 2891 -- Financial Responsibility Law - As introduced, limits the noneconomic damages a person may recover in a car accident if that person owns or operates a vehicle without financial responsibility. - Amends TCA Title 29; Title 39; Title 55, Chapter 12 and Title 56, Chapter 7. by *Watson, *Miller D.

***House Bill No. 2892** -- Criminal Procedure - As introduced, requires a judge to revoke a defendant's participation in a domestic violence intervention class if the defendant is convicted of a subsequent domestic assault offense while attending the class and requires that the new sentence run cumulative to the original sentence. - Amends TCA Title 39 and Title 40. by *Jones S.

***House Bill No. 2893** -- Children's Services, Dept. of - As introduced, adds additional language to the department's mission/purpose. - Amends TCA Section 37-5-102. by *Jones S.

***House Bill No. 2894** -- Children - As introduced, expands the definition of dependent and neglected child to include a child who has contracted a sexually transmitted disease. - Amends TCA Title 37, Chapter 1, Part 1. by *Jones S.

***House Bill No. 2895** -- Children - As introduced, identifies factors to evaluate the best interest of the child in juvenile court proceedings. - Amends TCA Title 36; Title 37; Title 39 and Title 40. by *Jones S.

House Bill No. 2896 -- Human Rights - As introduced, prohibits entities from discriminating on the basis of sexual orientation in practices and contracts. - Amends TCA Title 4, Chapter 21; Title 4, Chapter 3; Title 4, Chapter 36; Section 8-20-326; Section 8-30-333; Section 11-3-202; Section 12-4-122; Section 37-5-116; Title 39; Title 40; Title 49; Section 56-51-117; Section 57-4-102; Section 62-27-123; Section 65-37-102; Section 68-14-605; Section 68-1-113; Section 68-11-702 and Title 71, Chapter 5. by *Jones S.

***House Bill No. 2897** -- Adoption - As introduced, grants adoption preference to a relative over a foster parent where a child has had substantial contact and interaction with that relative. - Amends TCA Title 36, Chapter 1 and Title 37. by *Jones S.

***House Bill No. 2898** -- Child Abuse - As introduced, punishes the failure to protect a child from severe child abuse in the same manner as if the offender committed the severe child abuse. - Amends TCA Title 37; Title 39 and Title 40. by *Jones S.

***House Bill No. 2899** -- TennCare - As introduced, deletes requirement that new beds authorized for ICF/MR beginning July 1, 2006, should be filled by persons from the developmental centers. - Amends TCA Section 71-5-105. by *Jones S.

***House Bill No. 2900** -- Criminal Procedure - As introduced, prohibits defendants charged with domestic assault from pleading to a lesser offense. - Amends TCA Title 38; Title 39 and Title 40. by *Jones S.

***House Bill No. 2901** -- Criminal Offenses - As introduced, enhances the financial penalty for violating an order of protection. - Amends TCA Title 36; Title 39 and Title 40. by *Jones S.

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***House Bill No. 2902** -- Criminal Offenses - As introduced, punishes domestic assault as a Class A misdemeanor. - Amends TCA Title 4, Chapter 3; Title 16, Chapter 15; Title 29, Chapter 13; Title 36, Chapter 3; Title 39 and Title 40, Chapter 35. by *Jones S.

***House Bill No. 2903** -- Alcoholic Beverages - As introduced, authorizes Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort. - Amends TCA Section 57-4-102 and Section 57-4-102. by *Sargent.

***House Bill No. 2904** -- Sentencing - As introduced, requires that a person convicted of committing a dangerous felony involving a firearm who is subsequently convicted of the same serve a minimum of 15 years imprisonment at 100 percent. - Amends TCA Title 39, Chapter 17 and Title 40. by *Dean.

***House Bill No. 2905** -- Taxes, Income - As introduced, abolishes the Hall income tax. - Amends TCA Title 67, Chapter 2. by *Pody.

House Bill No. 2906 -- Pensions and Retirement Benefits - As introduced, effective January 1, 2013, creates a new defined contribution plan as a mandatory retirement package for newly hired state employees; closes existing defined-benefit pension plan to newly hired state employees; requires state agencies to contribute annually no less than 2 percent of a participating employee's salary to an individual account and to match employee contributions up to an additional 6 percent. - Amends TCA Title 8. by *Pody.

House Bill No. 2907 -- Pensions and Retirement Benefits - As introduced, effective July 1, 2012, creates a new defined contribution plan as a mandatory retirement package for newly hired state employees; closes existing defined-benefit pension plan to newly hired state employees; requires state agencies to contribute no less than 6 percent and up to 15 percent of a participating employee's salary to an individual account and contribute a certain rate to the defined benefits plan in order to cover the plan's unfunded liabilities. - Amends TCA Title 8, Chapter 25, Part 1; Title 8, Chapter 25, Part 3; Title 8, Chapter 34; Title 8, Chapter 36 and Title 8, Chapter 37. by *Pody.

***House Bill No. 2908** -- Business and Commerce - As introduced, repeals the "Equal Access to Intrastate Commerce Act." - Amends TCA Section 4-21-102 and Title 7, Chapter 51. by *Gilmore.

***House Bill No. 2909** -- Physicians and Surgeons - As introduced, voids contractual restrictions on a physician's right to practice medicine if such physician is employed independently of a bona fide practice purchase and is terminated by an employing entity for reasons other than breach by the employee. - Amends TCA Section 63-6-204 and Section 68-11-205. by *Gilmore.

***House Bill No. 2910** -- Teachers, Principals and School Personnel - As introduced, requires the department of education to include in its annual report by LEA and statewide the number and percentage of teachers scoring each possible effectiveness rating on the teacher evaluations. - Amends TCA Title 49. by *Pody.

House Bill No. 2911 -- State Government - As introduced, authorizes the state building commission to allocate energy efficient commercial building tax deductions from the IRS to persons designing such buildings. - Amends TCA Title 4, Chapter 15 and Title 12, Chapter 3. by *Haynes.

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***House Bill No. 2912** -- Taxes, Sales - As introduced, authorizes metropolitan governments to levy an additional local sales tax on certain retail sales within a downtown development district for certain purposes. - Amends TCA Title 7; Title 13; Title 57 and Title 67. by *Pruitt.

***House Bill No. 2913** -- Landlord and Tenant - As introduced, permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary, instead of hazardous and unsanitary, condition on the property; deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits. - Amends TCA Title 66, Chapter 28. by *Curtiss.

***House Bill No. 2914** -- Pensions and Retirement Benefits - As introduced, includes bomb and arson special agents among those persons in the TCRS engaged in law enforcement activities on a day-to-day basis having a mandatory retirement age. - Amends TCA Title 8, Chapter 36, Part 2. by *Curtiss.

House Bill No. 2915 -- Consumer Protection - As introduced, requires certain roofing contractors and agents to make certain disclosures to solicited persons where an insurance claim has been made or is anticipated for the provision of roofing goods or services. - Amends TCA Title 47; Title 56 and Title 62. by *Curtiss.

***House Bill No. 2916** -- Hospitals and Health Care Facilities - As introduced, defines exclusive provider provision, health insurer, hospital and medical service corporation and insurer; mandates that private act hospitals should not enter into or renew a provider network or contract with a hospital, medical service or health insurer that contains an exclusive provider provision; clarifies that neither the antitrust immunity, reimbursement negotiations, terms and conditions of insurer provider network agreements, nor the discretion of insurers shall be affected; restricts the application exclusively to any agreements between a private act hospital and provider network, where the majority of ownership is not owned by the private act hospital. - Amends TCA Title 7, Chapter 57, Part 5. by *Eldridge, *Shaw, *Halford, *Ramsey, *Williams R.

House Bill No. 2917 -- Correction, Dept. of - As introduced, requires department to cap non-contract payments to correctional healthcare providers at 110 percent of the federal Medicare reimbursement rate; requires hospitals and other medical service providers to bill Medicaid for all eligible inmate inpatient hospital and professional services. - Amends TCA Title 41. by *Curtiss.

***House Bill No. 2918** -- Taxes, Exemption and Credits - As introduced, provides a sales and use tax refund for persons or entities installing a geothermal heat system in a residence or business. - Amends TCA Title 67, Chapter 6, Part 3. by *Sparks, *Watson, *Hill.

House Bill No. 2919 -- Taxes, Ad Valorem - As introduced, requires increases in property tax rates higher than \$1.00 per \$100 of the assessed value of property by a county or municipality to be approved through a referendum; authorizes the referendum process. - Amends TCA Title 67. by *Sparks.

House Bill No. 2920 -- Taxes, Ad Valorem - As introduced, requires increases in property tax rates higher than 25 percent by a county or municipality to be approved through a referendum; authorizes the referendum process. - Amends TCA Title 67. by *Sparks.

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***House Bill No. 2921** -- Local Government, General - As introduced, prohibits impact fees or adequate facilities taxes from being imposed on age-exclusive developments for persons 55 and older if children as permanent residents are also excluded; clarifies present acts imposing impact fees and adequate facilities taxes may be revised to reduce the fee or tax or remove types of property from being subject to such fees or taxes. - Amends TCA Section 67-4-2913. by *Sparks.

***House Bill No. 2922** -- Beer - As introduced, requires revocation or suspension for at least 60 days of beer sales permit held by any person who is convicted of a drug crime. - Amends TCA Title 4; Title 5; Title 6; Title 7; Section 8-21-401; Title 39; Title 40 and Title 57. by *Sparks.

***House Bill No. 2923** -- Tobacco, Tobacco Products - As introduced, requires the commissioner of revenue to revoke the tobacco license of a person convicted of a state drug offense for 60 days and requires the clerk of court to report convictions and pleadings to the commissioner for revocation purposes. - Amends TCA Title 39, Chapter 17 and Title 67. by *Sparks.

***House Bill No. 2924** -- Labor - As introduced, establishes certain public policies for employees under right to work law; provides for employers to post certain notices; provides for certain enforcement responsibilities by the department of labor and workforce development. - Amends TCA Title 50, Chapter 1, Part 2. by *Sparks.

***House Bill No. 2925** -- Controlled Substances - As introduced, adds new controlled substances to Schedule I hallucinogenic substances and stimulants and to Schedule II stimulants. - Amends TCA Title 39, Chapter 17, Part 4. by *Sparks.

***House Bill No. 2926** -- Criminal Offenses - As introduced, creates new grade for offense of theft making theft over \$500,000 a Class A felony. - Amends TCA Title 39, Chapter 14, Part 1. by *Sparks.

***House Bill No. 2927** -- Short Term Loans and Lenders - As introduced, limits the ability of a title pledge lender to assess and collect, as reimbursement, a charge for repossession of a vehicle that is the subject of a title pledge agreement. - Amends TCA Section 45-15-111. by *Sparks.

***House Bill No. 2928** -- Hospitals and Health Care Facilities - As introduced, enacts the "Community-Based TBI Adult Care Home Act of 2012" for the regulation of certain traumatic brain injury care homes. - Amends TCA Title 68, Chapter 11. by *McDonald, *Maggart.

***House Bill No. 2929** -- Highway Signs - As introduced, names segment of U.S. 31W within corporate limits of Millersville in honor of John W. Reynolds, Sr. by *McDonald.

House Bill No. 2930 -- Homestead Exemptions - As introduced, establishes a flat homestead exemption of \$50,000, per owned principal residence, for all Tennesseans, regardless of marital status or age. - Amends TCA Title 26, Chapter 2, Part 3. by *Brooks K.

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***House Bill No. 2931** -- Advertising - As introduced, defines the term "agreement" to be the agreement between the commissioner of transportation and the Secretary of the U.S. Department of Transportation for purposes of defining unzoned industrial and commercial areas and the size, lighting and spacing of outdoor advertising. - Amends TCA Title 29 and Title 54. by *Dean.

***House Bill No. 2932** -- Education - As introduced, allows teachers to remove disruptive students from class pursuant to local board policies. - Amends TCA Title 49. by *Hensley.

***House Bill No. 2933** -- Traffic Safety - As introduced, declares that the terms of any new, existing or renewed contracts related to unmanned traffic enforcement cameras are subject to change pursuant to any modifications in local or state law. - Amends TCA Section 55-8-198. by *Ragan.

House Bill No. 2934 -- Conservation - As introduced, requires 10 percent reduction in energy use by state government entities by January 1, 2014, and an additional 10 percent reduction by January 1, 2016. - Amends TCA Title 4; Title 12, Chapter 3 and Title 68, Chapter 214. by *McDonald.

House Bill No. 2935 -- Judges and Chancellors - As introduced, terminates the court of the judiciary and replaces it with a 16-person board of judicial conduct and changes the burden of proof to investigate a judge to probable cause that misconduct occurred from substantial likelihood that it did. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5. by *Dennis.

House Bill No. 2936 -- Firearms and Ammunition - As introduced, clarifies that it is lawful to purchase from and cause to be shipped to a personal residence in this state a black powder weapon, knife with a blade in excess of four inches or a sword or bayonet. - Amends TCA Title 39, Chapter 17, Part 13. by *Dennis.

House Bill No. 2937 -- Banks and Financial Institutions - As introduced, allows securities or investment accounts held by bank trust departments to have a payable on death designated beneficiary. - Amends TCA Title 35, Chapter 12. by *Sexton, *Fitzhugh, *Marsh.

House Bill No. 2938 -- Economic and Community Development - As introduced, requires the state agency responsible for processing applications for grant funds relating to workforce development to accept electronic signatures in the same manner as it accepts physical signatures. - Amends TCA Title 4, Chapter 3, Part 14; Title 47, Chapter 10 and Title 50. by *Sexton, *Marsh.

***House Bill No. 2939** -- Criminal Offenses - As introduced, defines commercial sex act and criminalizes trafficking a person for commercial sex acts. - Amends TCA Title 39 and Title 40. by *Coley, *Cooper B, *Turner J, *Hurley, *Maggart, *Camper, *Weaver, *Favors, *Richardson, *Jones S.

House Bill No. 2940 -- Campaigns and Campaign Finance - As introduced, limits amount candidate may personally loan campaign to \$100,000 per election but does not limit amount candidate may contribute to campaign; creates voluntary spending limits for certain state and local candidates. - Amends TCA Title 2, Chapter 10. by *Dennis.

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House Bill No. 2941 -- Campaigns and Campaign Finance - As introduced, limits amount candidate may personally loan campaign to \$100,000 per election but does not limit amount candidate may contribute to campaign; creates voluntary spending limits for statewide candidates. - Amends TCA Title 2, Chapter 10. by *Dennis.

House Bill No. 2942 -- Civil Procedure - As introduced, requires a plaintiff receiving in a judgment less than 80 percent of the settlement amount offered in a lawsuit or a defendant owing a judgment more than 80 percent of the settlement amount offered in a lawsuit prior to trial to pay certain litigation expenses of the opposing party. - Amends TCA Title 25. by *Dennis.

House Bill No. 2943 -- Education - As introduced, requires students who score below proficient on TCAP test or do not demonstrate competency on end-of-course examination to attend summer school or receive tutoring in the subject tested at the expense of the student's parent and be retested prior to being promoted or receiving credit for course. - Amends TCA Title 49, Chapter 6. by *Dennis, *Evans.

House Bill No. 2944 -- Lottery, Scholarships and Programs - As introduced, allows a student who has completed an associates degree while receiving a Tennessee HOPE scholarship to be eligible for a Wilder-Naifeh technical skills grant to attend a Tennessee technology center in a diploma or certificate program, provided the student meets certain eligibility requirements. - Amends TCA Title 49, Chapter 4, Part 9. by *Dennis.

House Bill No. 2945 -- Taxes, Sales - As introduced, exempts the diabetic supplies of blood glucose monitor test strips, lancets and visual reading and urine test strips from the sales and use tax. - Amends TCA Title 56 and Title 67, Chapter 6, Part 3. by *Ramsey.

House Bill No. 2946 -- Traffic Safety - As introduced, prohibits people from jumping off bridges that are 20 feet or more in height, punishable as Class C misdemeanor by fine only not to exceed \$50.00 - Amends TCA Title 54, Chapter 11, Part 2 and Title 55, Chapter 8. by *Williams K.

***House Bill No. 2947** -- Cemeteries - As introduced, exempts from income taxes the income from trust funds for perpetual care of a cemetery. - Amends TCA Title 67. by *Williams K.

House Bill No. 2948 -- Indigents - As introduced, requires trial courts to verify income and property of defendants seeking court-appointed counsel in non-capital criminal cases; creates a judgment lien in favor of state against defendants for unpaid attorney's fees and costs; provides that willful nonpayment of the judgment is criminal contempt; increases professional privilege tax for deposit in indigent defense fund; requires supreme court to adopt rules concerning qualifications and appointment of private attorneys. - Amends TCA Title 8, Chapter 14; Title 16; Title 37; Title 40, Chapter 14 and Title 67, Chapter 4, Part 17. by *Sargent.

House Bill No. 2949 -- Hospitals and Health Care Facilities - As introduced, removes requirement that board for licensing health care facilities report to the Tennessee code commission if the board fails to collect fees in amount sufficient to pay operating costs of board in any fiscal year; retains requirement that such report be sent to government operations committees. - Amends TCA Section 68-11-216(b). by *Cobb, *Shipley.

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***House Bill No. 2950** -- Probation and Parole - As introduced, allows employees of board of probation and parole and board members to carry firearm during the course of official duties if they have a handgun carry permit and their job duties require them to have regular contact with probationers and parolees. - Amends TCA Title 39, Chapter 17, Part 13 and Title 40, Chapter 28, Part 1. by *Rich.

***House Bill No. 2951** -- Mental Health, Dept. of - As introduced, establishes an exception to the consent requirement for disclosure of medical records if the patient has been deceased for more than 10 years and the records requested are more than 50 years old; and allows state to charge up to \$25.00 to the requester of the records. - Amends TCA Title 10, Chapter 7, Part 5 and Title 33, Chapter 3, Part 1. by *Miller D.

***House Bill No. 2952** -- Education - As introduced, clarifies that public charter schools are public schools for the purposes of reporting pupil attendance and truancy. - Amends TCA Title 37 and Title 49. by *Miller D.

***House Bill No. 2953** -- Education - As introduced, increases the number of days from 150 to 160 per year and from 75 to 80 per semester that a student must be present for classroom instruction for a student's TCAP scores to be attributable to a specific teacher. - Amends TCA Title 37 and Title 49. by *Miller D.

***House Bill No. 2954** -- Local Education Agencies - As introduced, controls transfer and disposition of county school property lying in a city forming a new city school system or participating in the formation of a joint city school system. - Amends TCA Title 5; Title 6; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6 and Title 49, Chapter 1. by *Todd.

***House Bill No. 2955** -- Local Education Agencies - As introduced, authorizes department of education to provide appropriate assistance to the transition planning commission responsible for the transfer of administration of a special school district to a county school system. - Amends TCA Title 5; Title 6; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6; Title 49, Chapter 1 and Title 49, Chapter 2. by *Todd.

***House Bill No. 2956** -- Local Education Agencies - As introduced, permits creation of new city school systems and of joint city school systems in counties in which a school system has been consolidated with the county school system. - Amends TCA Title 6; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6 and Title 49, Chapter 1. by *Todd.

House Bill No. 2957 -- Health Care - As introduced, extends grace period for renewing a certificate to operate a pain management clinic from 90 to 120 days from the expiration date of the former certificate. - Amends TCA Title 63, Chapter 1, Part 3. by *White.

***House Bill No. 2958** -- Criminal Procedure - As introduced, deletes provision prohibiting district attorney from applying to judge for a wiretap order in marijuana cases in which the amount is less than 700 pounds. - Amends TCA Title 39, Chapter 17. by *Bass.

***House Bill No. 2959** -- Taxes, Hotel Motel - As introduced, expands definition of municipality for occupancy tax purposes. - Amends TCA Title 67, Chapter 4, Part 14. by *Sargent.

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***House Bill No. 2960** -- TennCare - As introduced, revises who shall submit a list of general internist candidates to the speaker of the house to serve on the TennCare pharmacy advisory committee. - Amends TCA Section 71-5-2401. by *Maggart.

***House Bill No. 2961** -- Education, Higher - As introduced, permits combat veterans who are residents of Tennessee and students at public institutions of higher education to register for classes prior to the general student population. - Amends TCA Title 49. by *Womick.

***House Bill No. 2962** -- Criminal Procedure - As introduced, specifies that when a court orders a defendant charged with a misdemeanor to be evaluated for insanity or mental illness, the court shall also order the evaluation to be complete within 15 days from the time the professional evaluator receives the court order. - Amends TCA Title 33, Chapter 7, Part 3. by *Womick.

House Bill No. 2963 -- Tennessee Higher Education Commission - As introduced, requires listing of authorized institutions, which must be posted on the commission's web site, to be updated within 10 business days of a postsecondary institution's acquiring or losing authorization to operate. - Amends TCA Title 49, Chapter 7, Part 20. by *Womick.

***House Bill No. 2964** -- Criminal Procedure - As introduced, establishes process of reciprocal disclosure of witnesses for criminal trials. - Amends TCA Title 40, Chapter 17. by *Coley.

***House Bill No. 2965** -- Evidence - As introduced, allows the results of a TBI-conducted drug or alcohol test to be introduced in evidence without the TBI employee being called as a witness if such notice is served on the defendant's attorney and the attorney has not objected within 10 days of receipt of notice. - Amends TCA Title 55, Chapter 10, Part 4. by *Coley, *Maggart.

***House Bill No. 2966** -- Courts, General Sessions - As introduced, clarifies that referees have the power of a trial court and the same authority as the judge directing the case to the referee in certain environmental courts. - Amends Chapter 772 of the Public Acts of 1982, as amended. by *Coley.

***House Bill No. 2967** -- Taxes, Ad Valorem - As introduced, punishes by fine only, the Class C misdemeanor offense for failure to attend when summoned by the comptroller to provide books and records. - Amends TCA Title 67. by *Harrison.

***House Bill No. 2968** -- Hospitals and Health Care Facilities - As introduced, provides for a 5 percent instead of 10 percent reduction of penalty when deficient nursing home pays the penalty on or before the due date. - Amends TCA Title 68 and Title 71. by *Harrison.

***House Bill No. 2969** -- Welfare - As introduced, specifies that the final study of medical assistance program and any participating managed care organizations be reported to the finance, ways and means committees of the senate and the house, the office of legislative budget analysis and the fiscal review committee on or before April 1 of each year, instead of April 15. - Amends TCA Title 71. by *Harrison.

***House Bill No. 2970** -- Hospitals and Health Care Facilities - As introduced, deletes authorization for demonstration project involving nursing homes and disabled volunteers. - Amends TCA Title 68. by *Harrison.

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House Bill No. 2971 -- Criminal Offenses - As introduced, enacts the "Animal Fighting Enforcement Act," increasing penalties for certain offenses involving animal fighting. - Amends TCA Title 39, Chapter 14, Part 2. by *Lundberg.

House Bill No. 2972 -- Taxes, Exemption and Credits - As introduced, increases the Hall income tax exemption for taxpayers 65 years of age or older to \$36,200 for single filers and \$47,000 for persons filing jointly beginning January 1, 2013. - Amends TCA Title 67, Chapter 2. by *Sexton.

***House Bill No. 2973** -- Telecommunications - As introduced, requires the chair of the commerce, labor and agriculture committee of the senate and the chair of the commerce committee of the house to invite and compile comments from members of the telecommunications industry concerning the regulatory actions of the Tennessee Regulatory Authority. - Amends TCA Title 65. by *McCormick.

***House Bill No. 2974** -- Housing - As introduced, exempts certain residential real estate held by LLCs and limited partnerships as extended low-income housing commitments from property taxes. - Amends TCA Title 67. by *McCormick.

***House Bill No. 2975** -- Taxes, Exemption and Credits - As introduced, exempts from taxation the sale or purchases of certain equipment and products by qualified golf course operators; prohibits outdoor advertising for public- owned golf courses under certain circumstances. - Amends TCA Title 54, Chapter 21 and Title 67, Chapter 6. by *Matheny.

House Bill No. 2976 -- Gas, Petroleum Products, Volatile Oils - As introduced, defines "natural gas equipment" and "natural gas provider"; creates limited tort liability for natural gas providers if the cause of the injury or damages was from an undiscoverable alteration, modification or repair by the natural gas provider or an unforeseen use of the natural gas equipment. - Amends TCA Title 29, Chapter 34, Part 2. by *Matheny.

***House Bill No. 2977** -- Conservation - As introduced, extends from 60 to 90 days notice requirement for dissolution of county conservation boards by action of the commissioner of environment and conservation. - Amends TCA Title 11. by *Matheny.

House Bill No. 2978 -- Judges and Chancellors - As introduced, clarifies to which judges certain financial disclosure laws apply; clarifies that newly elected judges may practice law to wind up their practice; revises other provisions governing judges. - Amends TCA Section 2-10-102; Section 17-2-112; Section 17-2-202; Section 17-1-105 and Section 23-3-102. by *Dennis.

House Bill No. 2979 -- Malpractice - As introduced, permits health care providers to use a HIPPA release in potential medical malpractice claims to receive all medical records of the patient filing the claim from other health care providers; authorizes the attorney of the health care provider to receive mental health and drug and alcohol abuse treatment records; and allows the attorney to interview the patient's health care providers to defend the claim. - Amends TCA Section 29-26-121. by *Dennis.

House Bill No. 2980 -- Civil Procedure - As introduced, enacts the "Offer of Settlement Act." - Amends TCA Title 20. by *Dennis.

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House Bill No. 2981 -- Damages - As introduced, creates a process to obtain punitive damages against an employer with vicarious liability for an employee agent. - Amends TCA Section 29-39-104. by *Dennis.

House Bill No. 2982 -- Judgments - As introduced, establishes the Federal Reserve weekly average prime loan rate as the standard interest rate on judgments so long as such rate does not exceed 10 percent. - Amends TCA Title 47. by *Dennis.

House Bill No. 2983 -- Tort Liability and Reform - As introduced, codifies the liability of a landowner to a trespasser. - Amends TCA Title 29. by *Dennis.

House Bill No. 2984 -- Courts, Juvenile - As introduced, makes various changes to the appointment of counsel and guardians ad litem for indigent children and defendants in juvenile court. - Amends TCA Section 37-1-126 and Section 37-1-150. by *Dennis.

***House Bill No. 2985** -- Alcoholic Beverages - As introduced, removes certain restrictions that limit the ability of a person to obtain a wholesaler or retailer license in certain circumstances. - Amends TCA Section 57-3-210 and Title 57, Chapter 3, Part 7. by *Haynes.

***House Bill No. 2986** -- Law Enforcement - As introduced, clarifies that a report on a missing child must be entered in the NCIC database but does not have to be entered in the MCOT database. - Amends TCA Title 37; Title 38 and Title 39. by *Haynes.

***House Bill No. 2987** -- Alcoholic Beverages - As introduced, removes obsolete provisions; creates license for military personnel living abroad to ship wine to this state. - Amends TCA Section 57-1-111; Title 57, Chapter 3; Section 57-2-101; Section 57-4-101 and Section 57-4-203. by *Haynes.

***House Bill No. 2988** -- Alcoholic Beverages - As introduced, allows cities and counties to limit number of retail liquor stores to no less than one per 6,000 residents. - Amends TCA Section 57-3-208. by *Haynes.

***House Bill No. 2989** -- Zoning - As introduced, expands nonconforming uses to those on contiguous land under common ownership. - Amends TCA Title 13, Chapter 7, Part 2. by *Haynes.

***House Bill No. 2990** -- Criminal Procedure - As introduced, allows a judge to sentence a first-time offender of domestic assault to attend a 24-week intervention program to satisfy an alternative sentencing program provided the defendant does not have prior domestic or sexual offense convictions in this state or any other state. - Amends TCA Title 39 and Title 40. by *Jones S.

***House Bill No. 2991** -- Child Custody and Support - As introduced, states that a parent may not be awarded custody or visitation when the parent has been convicted of a violent crime and classified as violent or dangerous due to a mental health disorder. - Amends TCA Title 36, Chapter 6 and Title 37. by *Jones S.

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***House Bill No. 2992** -- Domestic Violence - As introduced, enhances the punishment for domestic assault committed in the presence of a child; authorizes law enforcement, in their discretion, to file a report of harm with the department of children's services for a child abuse investigation. - Amends TCA Title 36, Chapter 3, Part 6 and Title 39, Chapter 13, Part 1. by *Jones S.

***House Bill No. 2993** -- Traffic Safety - As introduced, requires the department of safety and homeland security to establish and maintain a hotline where unsafe driving practices of tractor trailer operators can be reported. - Amends TCA Title 55, Chapter 10. by *Parkinson.

***House Bill No. 2994** -- Education - As introduced, establishes a four-year parental involvement pilot program in the achievement school district. - Amends TCA Title 49. by *Parkinson.

***House Bill No. 2995** -- Unemployment Compensation - As introduced, specifies that the employer, rather than the claimant, is responsible for overpayment of unemployment benefits when an award is overturned on appeal based on evidence that is submitted more than seven days after notice of the claim is sent to the employer. - Amends TCA Title 50, Chapter 7. by *Parkinson.

***House Bill No. 2996** -- Real Property - As introduced, requires municipalities to report owner and address of unfit, blighted and deteriorated properties to the secretary of state for publication on secretary's web site until such condition is cured. - Amends TCA Title 13. by *Parkinson.

***House Bill No. 2997** -- Unemployment Compensation - As introduced, requires commissioner of labor and workforce development to appoint department attorney to indigent claimant in unemployment benefit appeal upon request when employer is represented by counsel at appeal; employer will be assessed \$3,000 legal service fee if claimant prevails, otherwise cost comes from department's existing resources. - Amends TCA Title 4; Title 23 and Title 50. by *Parkinson.

***House Bill No. 2998** -- Traffic Safety - As introduced, prohibits animals in a driver's lap or between the driver and the driver's door while the motor vehicle is in motion. - Amends TCA Title 55, Chapter 8, Part 2. by *Cobb .

***House Bill No. 2999** -- Basic Education Program (BEP) - As introduced, allows LEAs the option of using BEP funds for a building manager in lieu of an assistant principal. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 3. by *Brooks H.

***House Bill No. 3000** -- Teachers, Principals and School Personnel - As introduced, provides for more consideration of actual classroom experience for teachers in training; updates requirement of length of classroom observation and teaching for teachers in training from three quarters to two semesters. - Amends TCA Title 49, Chapter 1, Part 3; Title 49, Chapter 5, Part 1 and Title 49, Chapter 5, Part 56. by *Brooks H.

House Bill No. 3001 -- Education - As introduced, requires the state board of education to promulgate a rule permitting the length of the school term to be calculated by instructional hours as well as the current number of instructional days. - Amends TCA Section 49-6-3004. by *Brooks H.

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House Bill No. 3002 -- Local Education Agencies - As introduced, allows any operating LEA to convert to a special school district. - Amends TCA Title 49, Chapter 2, Part 5. by *Brooks H.

***House Bill No. 3003** -- Pensions and Retirement Benefits - As introduced, improves retirement benefits of certain Tennessee public employees. - Amends TCA Title 8, Chapter 36, Part 7. by *Sargent, *Montgomery.

***House Bill No. 3004** -- Criminal Offenses - As introduced, criminalizes photographing a person without consent and with the knowledge that the person is in a private place or has a reasonable expectation of privacy; enhances the fine associated with false imprisonment, assault, criminal trespass and trespass by motor vehicle when those crimes are committed with the purpose of obtaining a photograph in violation of the new crime. - Amends TCA Title 20; Title 29; Title 39 and Title 40. by *Williams R.

House Bill No. 3005 -- Marriage - As introduced, expands the type of judge that may solemnize the rite of matrimony in any county in Tennessee to include judges of the municipal court of any municipality. - Amends TCA Section 36-3-301. by *Forgety.

***House Bill No. 3006** -- Highway Signs - As introduced, designates portion of U.S. Highway 61 in Memphis as the "Blues Trail.". by *Cooper B.

***House Bill No. 3007** -- Highways, Roads and Bridges - As introduced, revises structure and operation of certain county highway departments. - Amends TCA Title 54, Chapter 7. by *Johnson P.

***House Bill No. 3008** -- Highway Signs - As introduced, designates U.S. 27 within City of Dayton as "Veterans Memorial Highway.". by *Cobb .

***House Bill No. 3009** -- Naming and Designating - As introduced, designates the first week in March as "Rescue Squad Week." - Amends TCA Title 15, Chapter 2, Part 1. by *Cobb .

***House Bill No. 3010** -- Highway Signs - As introduced, names segment of U.S. 27 in Rhea County in honor of the late Hiram Green. by *Cobb .

***House Bill No. 3011** -- Alcoholic Beverage Commission - As introduced, allows commission to issue wholesale license to corporation that has acquired assets of a partnership or limited liability company operating in this state for 10 years if corporation has majority of its assets in Tennessee and officers actively present at licensed premises. - Amends TCA Section 57-3-203(g). by *Todd.

***House Bill No. 3012** -- Alcoholic Beverages - As introduced, permits a person possessing a nonresident seller's permit for wines and alcoholic beverages that are not registered under certain circumstances or not available from a manufacturer, winery or distiller to purchase alcoholic beverages from a Tennessee licensed wholesaler for resale outside the state. - Amends TCA Section 57-3-404 and Section 57-3-602. by *Todd.

***House Bill No. 3013** -- Alcoholic Beverages - As introduced, requires products sold as Tennessee wine or Tennessee sour mash whiskey to contain a certain percentage of products used in the manufacture of the wine or whiskey to be grown in Tennessee. - Amends TCA Title 44 and Title 57. by *Carr.

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***House Bill No. 3014** -- Environment and Conservation, Department of - As introduced, requires the department to regulate petroleum underground storage tanks only to the extent required by federal law. - Amends TCA Title 68, Chapter 215. by *Tidwell.

House Bill No. 3015 -- Historical Sites and Preservation - As introduced, appropriates a grant in the sum of \$150,000 to the James K. Polk Memorial Association for renovation and improvement of the James K. Polk Home and surrounding property. by *Butt.

House Bill No. 3016 -- Health Care - As introduced, adds a focus on innovative practices by providers in each of the grand divisions to the annual report on safety net access and adequacy. - Amends TCA Section 68-1-123. by *Sexton.

***House Bill No. 3017** -- Schools, Charter - As introduced, shifts authority to hear appeals from denials by local boards of education of charter school applications from the state board of education to the commissioner of education. - Amends TCA Title 49, Chapter 13. by *Lollar.

***House Bill No. 3018** -- Tennessee Higher Education Commission - As introduced, requires a public hearing on any rule or regulation proposed by THEC prior to the rule or regulation becoming effective and requires any affected institution be given notice of the hearing and an opportunity to present evidence to the commission. - Amends TCA Section 49-7-2005. by *Lollar.

***House Bill No. 3019** -- Special License Plates - As introduced, authorizes issuance of Boy Scouts of America new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to five Tennessee Councils of Boy Scouts to fund and support scouting programs and activities. - Amends TCA Title 55, Chapter 4. by *Lollar.

***House Bill No. 3020** -- Insurance Companies, Agents, Brokers, Policies - As introduced, requires a dental service plan corporation to show ability to pay the greater of operating expenses for six months or \$10,000, instead of \$2,500, in order to apply for license to operate a dental service plan. - Amends TCA Title 56. by *Swann.

***House Bill No. 3021** -- Utilities, Utility Districts - As introduced, requires private corporations that collect sewer payments on behalf of municipalities to send consumers' water usage rates to the municipality if the corporation does not also collect payment for water usage. - Amends TCA Title 5; Title 6; Title 7 and Title 68, Chapter 221. by *Dean.

***House Bill No. 3022** -- Driver Licenses - As introduced, requires LEAs to graduate 85 percent of high school seniors with an intermediate unrestricted driver license. - Amends TCA Title 49 and Title 55. by *Dean.

***House Bill No. 3023** -- Motor Vehicles - As introduced, increases from three to five days wherein the police, or a towing firm with possession of vehicles in the custody of police, must verify ownership of abandoned, immobile or unattended motor vehicles and notify the last registered owner. - Amends TCA Title 55, Chapter 16, Part 1. by *Dean.

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House Bill No. 3024 -- Taxes, Gasoline, Petroleum Products - As introduced, creates a natural gas dealer's permit for persons or entities that dispense compressed natural gas to customers' vehicles through qualified natural gas dispensers; requires the permittee to remit the compressed natural gas tax imposed on the metered gas. - Amends TCA Title 67, Chapter 3, Part 11. by *Johnson P.

***House Bill No. 3025** -- Ethics - As introduced, exempts an event to which the entire membership of a standing committee or committees is invited from the gift prohibition subject to the same cost and reporting restrictions imposed on events to which the entire membership of the general assembly is invited. - Amends TCA Title 3, Chapter 6. by *Johnson P.

House Bill No. 3026 -- Special License Plates - As introduced, authorizes issuance of a Tennessee Sheriffs' Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4, Part 2. by *Johnson P.

***House Bill No. 3027** -- Mental Illness - As introduced, requires the state rather than the county to pay for mental health treatment of inmates charged with a misdemeanor in Greene County. - Amends TCA Title 33. by *Hawk.

***House Bill No. 3028** -- Criminal Offenses - As introduced, expands definition of severe child abuse to include abuse resulting from a mother's ingestion of illegal drugs during pregnancy. - Amends TCA Title 36; Title 37, Chapter 1 and Title 39, Chapter 15. by *Hawk.

House Bill No. 3029 -- Recycling - As introduced, enacts the "Solid Waste Planning Act of 2012" to require consideration of economic activities concerning recycling when promulgating rules and regulations concerning solid waste and landfills; makes certain other changes and additions to present law concerning recycling. - Amends TCA Title 68, Chapter 211. by *Hawk.

***House Bill No. 3030** -- Public Works Projects - As introduced, increases threshold for public works that require a registered architect, registered engineer, or registered landscape architect from \$25,000 to \$150,000; increases the \$150,000 amount by CPI every odd-numbered year. - Amends TCA Title 62, Chapter 2. by *Hawk.

***House Bill No. 3031** -- Motor Vehicles - As introduced, prohibits the disclosure of traffic citations from red-light cameras to consumer reporting agencies; prohibits such information from being identified in credit reports. - Amends TCA Section 55-8-198. by *Hawk.

***House Bill No. 3032** -- Child Custody and Support - As introduced, requires an LEA to provide proof of a child's graduation from high school to certain persons within 15 business days, instead of the current 20, of the persons' written request for such proof. - Amends TCA Title 36, Chapter 6. by *Carr.

***House Bill No. 3033** -- Courts, Juvenile - As introduced, clarifies that judges may, but are not required to, order a rehearing of any matter heard before a magistrate appointed by a juvenile court, and that such rehearings shall be de novo based upon the record of the hearing before the magistrate. - Amends TCA Title 37, Chapter 1, Part 1. by *Carr.

***House Bill No. 3034** -- Civil Procedure - As introduced, prohibits a court clerk from accepting the filing of another claim by a litigant who owes fees, taxes, costs and other expenses unless the litigant seeks injunctive relief to prevent irreparable injury or serious physical harm to the litigant. - Amends TCA Title 16; Title 18; Title 20 and Title 28. by *Carr.

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House Bill No. 3035 -- Election Laws - As introduced, allows persons age 60 and older to vote absentee upon request, instead of age 65 and older to conform to current age requirement of those authorized to obtain a nonphoto bearing driver license. - Amends TCA Title 2, Chapter 6; Title 2, Chapter 7, Part 1 and Title 55, Chapter 50, Part 3. by *Maggart.

House Bill No. 3036 -- Real Property - As introduced, increases from a Class C misdemeanor to a Class B misdemeanor any developer or certain other persons offering or disposing of a time-share interval without having complied with the Time-Share Act of 1981. - Amends TCA Title 6; Title 7; Title 47, Chapter 18; Title 62, Chapter 13; Title 66 and Title 67, Chapter 6. by *Faison.

House Bill No. 3037 -- Education, Higher - As introduced, requires any increase in tuition at public institution of higher education to result in an equal decrease in the institution's annual appropriation and requires office of legislative budget analysis and comptroller to provide comments to the finance, ways and means and education committees on such decreases. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Ragan.

***House Bill No. 3038** -- Criminal Offenses - As introduced, criminalizes the assistance of unauthorized access to a service account and clarifies the criminal act of obtaining services without payment. - Amends TCA Title 39, Chapter 14. by *McCormick.

House Bill No. 3039 -- Alcoholic Beverages - As introduced, allows restaurant to have minimum of 40 seats instead of 75 seats for purpose of selling alcoholic beverages; clarifies that limited service restaurant may sell more than 50 percent food and still qualify for license. - Amends TCA Title 57, Chapter 4. by *Todd.

***House Bill No. 3040** -- Planning, Public - As introduced, revises authority or responsibility with respect to street construction and acceptance of public streets located within a subdivision in certain circumstances. - Amends TCA Section 13-3-403 and Section 13-3-405. by *Elam, *Sargent.

***House Bill No. 3041** -- Municipal Government - As introduced, eliminates subdivision regulation by the municipal planning commission in areas outside city corporate limits that formerly could be regulated with the approval of the county legislative body. - Amends TCA Section 6-58-106(d). by *Elam, *Sargent.

***House Bill No. 3042** -- Planning, Public - As introduced, redefines subdivision in municipal county and regional regulations by expanding the maximum size allowed for the subdivided parcels from less than five to less than 25 acres. - Amends TCA Section 13-3-401 and Section 13-4-301. by *Elam, *Sargent.

***House Bill No. 3043** -- Zoning - As introduced, specifies evidence of abandonment of non-conforming use, directs the governmental entity with jurisdiction to establish beginning and ending dates for the prescriptive period, and creates a rebuttable presumption of abandonment upon a governmental finding of credible evidence establishing a non-conforming use for the prescribed period. - Amends TCA Section 13-7-208. by *Elam, *Sargent.

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***House Bill No. 3044** -- County Government - As introduced, permits the county mayor to retain veto power if serving as chair of the county legislative body; removes the authority of the county mayor to vote to break a tie when the county mayor is serving as chair; requires a two-thirds vote to override a veto instead of a majority vote. - Amends TCA Section 5-5-103; Section 5-5-109 and Section 5-6-107. by *Elam, *Sargent.

***House Bill No. 3045** -- Banks and Financial Institutions - As introduced, authorizes members of boards of directors of credit unions to be compensated for services rendered, subject to review by the commissioner of financial institutions. - Amends TCA Title 45, Chapter 4, Part 2. by *Sargent.

House Bill No. 3046 -- Revenue, Dept. of - As introduced, requires commissioner to include analysis of impact of utilizing regional water planning methods of other states on tax revenues in 2013 report to general assembly. - Amends TCA Title 67. by *Shepard.

***House Bill No. 3047** -- Parks, Natural Areas Preservation - As introduced, adds retired members of the Tennessee national guard to those who are authorized to receive discounted rates offered by the commissioner of conservation and environment for activities at state parks; requires discounted rates to be posted in a facility if the facility is one to which the rates apply; requires rates to be offered regardless of whether the state operates the facility or the facility is leased to or managed by a private entity. - Amends TCA Section 11-3-121. by *Shepard.

House Bill No. 3048 -- Coon Dog Laws - As introduced, adds Morgan County to group of counties where the training season for coon dogs is at least six months, instead of having a training season from July 1 to the first day of the open season for hunting coons. - Amends TCA Title 70, Chapter 4, Part 1. by *Windle.

***House Bill No. 3049** -- Teachers, Principals and School Personnel - As introduced, revises teacher and principal evaluation system. - Amends TCA Title 49. by *Womick.

***House Bill No. 3050** -- Special License Plates - As introduced, authorizes issuance of Almost Home Animal Rescue new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to such organization to rescue and relocate animals scheduled for euthanasia. - Amends TCA Title 55, Chapter 4. by *Womick.

House Bill No. 3051 -- Clerks, Court - As introduced, authorizes clerks with electronic filing systems to charge \$120 for each registered user of the system and to institute an 8-cent per page copy transaction fee. - Amends TCA Section 8-21-401. by *Rich.

House Bill No. 3052 -- Taxes, Inheritance Gift - As introduced, increases, from \$1,000,000 to \$5,000,000, the single allowable exemption to be applied against net estate for state inheritance taxes; requires exemption amount to match exemption for federal estate taxes; requires state gift tax exemption to be the same as inflation adjusted exclusion amount for federal gift taxes. - Amends TCA Title 67, Chapter 8, Part 1; Title 67, Chapter 8, Part 3 and Title 67, Chapter 8, Part 4. by *McDaniel.

House Bill No. 3053 -- Radio and Television - As introduced, designates as confidential and not subject to open records laws any records obtained by or disclosed to a municipality or county by a cable or video service provider for the purpose of an audit or review. - Amends TCA Title 7, Chapter 59, Part 3 and Section 10-7-504. by *McDaniel.

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***House Bill No. 3054** -- Taxes, Sales - As introduced, permits pharmacist, a pharmacy benefits manager or a covered entity to collect sales tax on diabetic supplies. - Amends TCA Title 56 and Title 67. by *Ramsey.

House Bill No. 3055 -- Courts, Circuit - As introduced, authorizes collection of criminal court fines, costs and litigation taxes in same manner as civil debt. - Amends TCA Title 20 and Title 40. by *Johnson C.

House Bill No. 3056 -- Victims' Rights - As introduced, requires that criminal injury compensation funds made to minors be turned over to chancery or circuit court to be placed in an interest bearing account. - Amends TCA Title 16; Title 29 and Title 34. by *Johnson C.

***House Bill No. 3057** -- Railroads - As introduced, requires motor vehicles to stop at a railroad grade crossing where a train or other on-track equipment is approaching. - Amends TCA Title 55, Chapter 50, Part 4; Title 55, Chapter 8, Part 1 and Title 65. by *Ford .

***House Bill No. 3058** -- Health Care - As introduced, adds certified brain injury specialist in certain cases to authorized adult care home caregivers; eliminates requirement that resident managers live on site where a certified brain injury specialist is present at all times at the location. - Amends TCA Section 68-11-209. by *Ford .

House Bill No. 3059 -- Teachers, Principals and School Personnel - As introduced, requires the state board of education to develop a transitional licensure program for professionals interested in teaching in grades 7-12 that does not require pedagogical study. - Amends TCA Title 49. by *Ragan.

***House Bill No. 3060** -- Taxes, Exemption and Credits - As introduced, authorizes a franchise and excise tax credit of \$1,000 for each unemployed person hired by a qualified small business; conditions the credit on the creation of at least five new qualified jobs; requires verification that unemployed persons have at least 20 weeks of unemployment benefits remaining as of the date of hire. - Amends TCA Title 67, Chapter 4, Part 21. by *Moore.

***House Bill No. 3061** -- Annexation - As introduced, changes time when department of revenue is notified of an annexation from prior to the annexation becoming effective to upon the annexation becoming effective. - Amends TCA Section 6-51-115. by *Williams R.

***House Bill No. 3062** -- Education - As introduced, requires virtual schools and education programs to maintain teacher-pupil ratios set by the state board of education and to provide the same length of time for learning opportunities as required for other schools, but allow a student to move at the student's own pace; allows technology access to be provided through computer labs; makes an online course a requirement for graduation from high school beginning with the students entering ninth grade in the 2013-2014 school year. - Amends TCA Title 49. by *Williams R.

House Bill No. 3063 -- Lottery, Corporation - As introduced, limits advertising of ticket sales to retailer premises; prohibits advertising to promote the lottery via media. - Amends TCA Title 4, Chapter 51, Part 1. by *Ragan.

House Bill No. 3064 -- Taxes, Privilege - As introduced, abolishes the recordation tax. - Amends TCA Section 67-4-409. by *Ragan.

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House Bill No. 3065 -- Public Contracts - As introduced, enacts the "Tennessee Civil Rights Initiative Act." - Amends TCA Title 4, Chapter 21. by *Ragan.

***House Bill No. 3066** -- Traffic Safety - As introduced, prohibits in Bluff City issuance of traffic citations based solely on evidence from unmanned traffic enforcement cameras. - Amends TCA Section 55-8-198. by *Campbell, *Hill.

***House Bill No. 3067** -- Election Laws - As introduced, allows city of Estill Springs to permit nonresident property owners to vote in municipal elections upon two-thirds approval of municipal legislative body. - Amends TCA Section 6-53-102. by *Alexander.

***House Bill No. 3068** -- Criminal Procedure - As introduced, authorizes the county legislative body to set the fee for participation in the litter removal program by first-time DUI offenders and permits the judge to find a person indigent for purposes of paying that fee. - Amends TCA Section 55-10-403. by *DeBerry J.

***House Bill No. 3069** -- Courts, Juvenile - As introduced, makes various changes to expunction of court files and records in juvenile court cases, allows unruly juveniles to petition for expunction of court files and records, and extends expunction to other scientific methods of establishing identity. - Amends TCA Section 37-1-155; Section 37-1-153 and Section 40-32-101. by *DeBerry J.

***House Bill No. 3070** -- Children - As introduced, requires petitions in juvenile court cases to list the legal parents and any persons alleged to be the biological father of the child; requires a copy of the summons in such cases be sent to the legal parents and any persons alleged to be the biological father of the child. - Amends TCA Section 37-1-121 and Section 37-1-120. by *DeBerry J.

***House Bill No. 3071** -- Children - As introduced, states that training for guardians ad litem shall include early childhood, child and adolescent development provided by a qualified professional; requires permanency hearings for children in foster care to be held within 12 months of previous permanency hearing. - Amends TCA Section 37-1-149; Section 37-2-409 and Section 37-1-129. by *DeBerry J.

House Bill No. 3072 -- Mental Illness - As introduced, authorizes disclosure of public records of mental illness that are more than 70 years old. - Amends TCA Title 10, Chapter 7, Part 5 and Title 33. by *Miller D.

***House Bill No. 3073** -- Health Care - As introduced, authorizes nurse practitioners to issue universal do not resuscitate orders. - Amends TCA Title 68. by *Casada.

***House Bill No. 3074** -- Criminal Offenses - As introduced, clarifies that indecent exposure can exist where certain behavior appears to be sexual conduct to an ordinary observer. - Amends TCA Title 39 and Title 40. by *Casada.

***House Bill No. 3075** -- Intellectual & Developmental Disabilities - As introduced, opens ICF/MR beds in private facilities to private pay and TennCare patients on a first-come, first-served basis. - Amends TCA Title 71. by *Casada.

WEDNESDAY, JANUARY 25, 2012 – FORTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 3076** -- Water Pollution - As introduced, authorizes municipal separate storm sewer systems that become qualified local programs pursuant to department approval to administer their own NPDES storm water construction permitting programs and the review thereof. - Amends TCA Title 69, Chapter 3, Part 1. by *Williams R.

***House Bill No. 3077** -- Water Pollution - As introduced, authorizes phase I and phase II designated municipal separate storm sewer systems to administer their own NPDES storm water construction permitting programs and the review thereof. - Amends TCA Title 69. by *Williams R.

***House Bill No. 3078** -- Education - As introduced, clarifies who is a parent for purposes of being on school premises. - Amends TCA Title 49. by *Lollar.

***House Bill No. 3079** -- CoverTN - As introduced, abolishes Cover TN advisory committee. - Amends TCA Title 56, Chapter 7, Part 30. by *Cobb, *Shipley.

***House Bill No. 3080** -- Sunset Laws - As introduced, creates sunrise provision for economic council on women with a termination date of June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 50, Part 1. by *Cobb, *Shipley.

House Bill No. 3081 -- Taxes - As introduced, imposes occupational privilege taxes on performers at adult cabarets, increases sales taxes on certain adult services, materials and products; places revenues in a fund for reduction of taxes on food and food products. - Amends TCA Title 67. by *Carr.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1680 -- Education, Curriculum - As introduced, requires cardiopulmonary resuscitation programs to implement hands-on practice and skills testing to support cognitive learning, as opposed to merely cognitive training. - Amends TCA Title 49, Chapter 6, Part 12. by *Tracy, *Gresham, *Tate, *Kelsey, *Berke, *Burks, *Campfield, *Crowe, *Summerville, *Barnes, *Faulk, *Ford, *Harper, *Kyle, *Marrero, *Overbey, *Massey. (*HB1519 by *Turner M, *Campbell, *Moore, *Ramsey, *Shipley, *Williams R, *Hardaway, *Parkinson, *Brown, *Hensley, *McManus, *Ford, *Favors, *Armstrong, *Weaver, *Stewart, *Shaw, *Johnson C, *Brooks H, *Eldridge, *Fitzhugh, *Butt, *McCormick, *Roach)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2776** -- Wildlife Resources Commission -- House Conservation and Environment Committee

House Bill No. 2777 -- Education, Dept. of -- House Education Committee

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House Bill No. 2778 -- Education -- House Education Committee

House Bill No. 2779 -- Education -- House Education Committee

House Bill No. 2780 -- Education -- House Education Committee

***House Bill No. 2781** -- Real Property -- House Judiciary Committee

House Bill No. 2782 -- Alcoholic Beverages -- House State and Local Government Committee

House Bill No. 2783 -- Alcoholic Beverages -- House State and Local Government Committee

House Bill No. 2784 -- Employees, Employers -- House Consumer and Employee Affairs Committee

House Bill No. 2785 -- General Assembly -- House State and Local Government Committee

House Bill No. 2786 -- Traffic Safety -- House Transportation Committee

***House Bill No. 2787** -- Sentencing -- House Judiciary Committee

***House Bill No. 2788** -- Safety -- House Commerce Committee

***House Bill No. 2789** -- Education -- House Education Committee

***House Bill No. 2790** -- Child Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 2791** -- Inheritance Laws -- House Finance, Ways and Means Committee

***House Bill No. 2792** -- Physicians and Surgeons -- House Health and Human Resources Committee

***House Bill No. 2793** -- Highway Signs -- House Transportation Committee

***House Bill No. 2794** -- Highway Signs -- House Transportation Committee

***House Bill No. 2795** -- Tennessee Wildlife Resources Agency -- House Conservation and Environment Committee

***House Bill No. 2796** -- Unemployment Compensation -- House Consumer and Employee Affairs Committee

***House Bill No. 2797** -- Day Care -- House Health and Human Resources Committee

House Bill No. 2798 -- Consumer Protection -- House Commerce Committee

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House Bill No. 2799 -- Motor Vehicles -- House Transportation Committee

***House Bill No. 2800** -- Alcoholic Beverages -- House State and Local Government Committee

***House Bill No. 2801** -- Physicians and Surgeons -- House Health and Human Resources Committee

House Bill No. 2802 -- Consumer Protection -- House Consumer and Employee Affairs Committee

***House Bill No. 2803** -- Highway Signs -- House Transportation Committee

***House Bill No. 2804** -- Highway Signs -- House Transportation Committee

House Bill No. 2805 -- Board of Regents -- House Education Committee

***House Bill No. 2806** -- General Assembly, Directed Studies -- House Health and Human Resources Committee

House Bill No. 2807 -- Welfare -- House Health and Human Resources Committee

***House Bill No. 2808** -- Workers Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2809 -- Statutes and Codification -- House Judiciary Committee

House Bill No. 2810 -- Tort Liability and Reform -- House Judiciary Committee

House Bill No. 2811 -- Tort Liability and Reform -- House Judiciary Committee

House Bill No. 2812 -- Bail, Bail Bonds -- House Judiciary Committee

House Bill No. 2813 -- Civil Procedure -- House Judiciary Committee

House Bill No. 2814 -- State Government -- House State and Local Government Committee

House Bill No. 2815 -- Public Health -- House Health and Human Resources Committee

***House Bill No. 2816** -- Pest Control -- House Commerce Committee

***House Bill No. 2817** -- Sexual Offenders -- House Judiciary Committee

***House Bill No. 2818** -- Planning, Public -- House State and Local Government Committee

House Bill No. 2819 -- Environment and Conservation, Department of -- House Conservation and Environment Committee

WEDNESDAY, JANUARY 25, 2012 -- FORTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2820 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 2821 -- Civil Procedure -- House Judiciary Committee

***House Bill No. 2822** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

House Bill No. 2823 -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 2824** -- Criminal Offenses -- House Health and Human Resources Committee

***House Bill No. 2825** -- Controlled Substances -- House Health and Human Resources Committee

House Bill No. 2826 -- Marriage -- House Judiciary Committee

House Bill No. 2827 -- Education, Higher -- House Education Committee

House Bill No. 2828 -- Special License Plates -- House Transportation Committee

***House Bill No. 2829** -- Tort Liability and Reform -- House Judiciary Committee

***House Bill No. 2830** -- Probation and Parole -- House Judiciary Committee

House Bill No. 2831 -- Schools, Charter -- House Education Committee

***House Bill No. 2832** -- Taxes, Ad Valorem -- House Finance, Ways and Means Committee

***House Bill No. 2833** -- Special License Plates -- House Transportation Committee

***House Bill No. 2834** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 2835** -- Newspapers and Publications -- House State and Local Government Committee

***House Bill No. 2836** -- Sentencing -- House Judiciary Committee

***House Bill No. 2837** -- Public Contracts -- House State and Local Government Committee

***House Bill No. 2838** -- Taxes, Income -- House Finance, Ways and Means Committee

***House Bill No. 2839** -- Health Care -- House Health and Human Resources Committee

***House Bill No. 2840** -- Taxes, Inheritance Gift -- House Finance, Ways and Means Committee

***House Bill No. 2841** -- Short Term Loans and Lenders -- House Commerce Committee

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***House Bill No. 2842** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

House Bill No. 2843 -- Travel Regulations -- House Transportation Committee

***House Bill No. 2844** -- Election Laws -- House State and Local Government Committee

***House Bill No. 2845** -- Fees -- House State and Local Government Committee

House Bill No. 2846 -- TennCare -- House Health and Human Resources Committee

***House Bill No. 2847** -- Child Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 2848** -- Municipal Government -- House State and Local Government Committee

House Bill No. 2849 -- Education, Higher -- House Education Committee

***House Bill No. 2850** -- Fireworks -- House Commerce Committee

***House Bill No. 2851** -- School Transportation -- House Education Committee

***House Bill No. 2852** -- Sexual Offenders -- House Judiciary Committee

***House Bill No. 2853** -- Sexual Offenders -- House Judiciary Committee

***House Bill No. 2854** -- Sexual Offenders -- House Judiciary Committee

***House Bill No. 2855** -- Criminal Offenses -- House Health and Human Resources Committee

House Bill No. 2856 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 2857 -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 2858** -- DUI Offenses -- House Judiciary Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 24, 2012**, reported the following:

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2382, 500 and 1923 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2341. Under the rules, each was transmitted to the Calendar and Rules Committee.

TRANSPORTATION

The Transportation Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2171. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 25, 2012**, reported the following:

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee Recommended that House Bill(s) No(s). 2509, 2513, 2527, 2529, 2510, 2512, 2514, 2515, 2530, 2531, 2533, 2534, 2543, 2545, 2559 and 2560, also House Bill(s) No(s). 2542 and 2544 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2367. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSENT CALENDAR

House Joint Resolution No. 589 -- Memorials, Personal Occasion - Pauline Hughes, 90th birthday. by *Casada, *Sargent.

House Joint Resolution No. 590 -- Memorials, Retirement - Dennis Anglin. by *Casada, *Sargent.

House Joint Resolution No. 591 -- Memorials, Retirement - Gary Luffman. by *Casada, *Sargent.

House Joint Resolution No. 592 -- Memorials, Recognition - Helping Hands and Linking Arms Day of Service. by *Haynes, *Dunn, *Hall, *Brooks H.

Senate Joint Resolution No. 496 -- Memorials, Death - Carle M. Davis. by *Overbey.

Senate Joint Resolution No. 497 -- Memorials, Professional Achievement - Captain Jeff Burchfield, Albert Pierce Medal for Heroism. by *Overbey.

Senate Joint Resolution No. 498 -- Memorials, Death - Michael Rawlings. by *Overbey, *Southerland.

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Senate Joint Resolution No. 501 -- Memorials, Professional Achievement - Donald Samuels, National Commander of DAV. by *Crowe, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 502 -- Memorials, Death - Reverend Carl R. Resener. by *Haynes, *Henry, *Harper, *Herron.

Senate Joint Resolution No. 503 -- Memorials, Retirement - Rich Boyd. by *Haynes, *Henry, *Berke, *Harper, *Herron, *Norris, *Overbey, *Tracy.

Senate Joint Resolution No. 504 -- Memorials, Death - Jeanette Rudy. by *Haynes, *Henry, *Harper, *Herron.

Senate Joint Resolution No. 505 -- Memorials, Recognition - Whitaker-Motlow House, National Register of Historic Places. by *Ketron, *Tracy.

Senate Joint Resolution No. 508 -- Memorials, Death - Dr. Grover C. Jewell. by *Finney L.

Senate Joint Resolution No. 509 -- Memorials, Death - Charlie Reagan. by *Finney L, *Herron.

Senate Joint Resolution No. 510 -- Memorials, Death - W.G. "Dub" Currie. by *Finney L.

Senate Joint Resolution No. 511 -- Memorials, Heroism - Lance Corporal Cody Evans. by *Faulk, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 512 -- Memorials, Sports - Friendship Christian School football team, 2011 Class 2A State Champion. by *Beavers.

Senate Joint Resolution No. 514 -- Memorials, Recognition - Fred J. Page High School, National Blue Ribbon School. by *Johnson.

Rep. M. Turner moved that all members of the Davidson County delegation voting aye on Senate Joint Resolution No. 504, and Rep. Naifeh, be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Gilmore moved that all members of the Davidson County delegation voting aye on Senate Joint Resolution No. 502 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

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Rep. Gilmore moved that all members of the Davidson County delegation voting aye on Senate Joint Resolution No. 503 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Swann moved that he be added as a co-prime sponsor on Senate Joint Resolution No. 496, which motion prevailed.

Rep. Curtiss moved that all members voting aye on Senate Joint Resolution No. 501 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

BILLS WITHDRAWN

On motion of Rep. Casada, **House Joint Resolution No. 590** was taken off of the Consent Calendar and withdrawn from the House.

CONSENT CALENDAR, CONTINUED

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Sanderson voted "aye" on the Consent Calendar.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Moore, **House Bill No. 1138** was recalled from the Consumer and Employee Affairs Committee and withdrawn from the House.

On motion of Rep. Moore, **House Bill No. 2123** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Naifeh, **House Joint Resolution No. 586** was withdrawn from the House.

On motion of Rep. Elam, **House Bill No. 2230** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 559 Rep(s). Montgomery as prime sponsor(s).

House Bill No. 555 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2079 Rep(s). Brown as prime sponsor(s).

House Bill No. 2308 Rep(s). Brown as prime sponsor(s).

House Bill No. 2309 Rep(s). Brown as prime sponsor(s).

House Bill No. 2314 Rep(s). Brown as prime sponsor(s).

House Bill No. 2323 Rep(s). Brown as prime sponsor(s).

House Bill No. 2344 Rep(s). Wirgau as prime sponsor(s).

House Bill No. 2348 Rep(s). Montgomery as prime sponsor(s).

House Bill No. 2359 Rep(s). Campbell as prime sponsor(s).

House Bill No. 2416 Rep(s). Ramsey as prime sponsor(s).

House Bill No. 2489 Rep(s). Brown as prime sponsor(s).

House Bill No. 2492 Rep(s). Brown as prime sponsor(s).

House Bill No. 2658 Rep(s). Cobb and Watson as prime sponsor(s).

House Bill No. 2672 Rep(s). Eldridge, Wirgau and Holt as prime sponsor(s).

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House Bill No. 2834 Rep(s). Curtiss and Womick as prime sponsor(s).

House Bill No. 2865 Rep(s). Gilmore as prime sponsor(s).

House Bill No. 3079 Rep(s). Shipley as prime sponsor(s).

House Bill No. 3080 Rep(s). Shipley as prime sponsor(s).

**MESSAGE FROM THE SENATE
January 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
January 25, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 589, 591 and 592.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
January 25, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2152; with his approval.

HERBERT H. SLATERY III, Legal Counsel to the Governor

**ENROLLED BILLS
January 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
January 25, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584.

BETTY KAY FRANCIS, Chief Engrossing Clerk

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MESSAGE FROM THE SENATE
January 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
January 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1514; and Senate Joint Resolution(s) No(s). 221; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
January 25, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1514; and Senate Joint Resolution(s) No(s). 221.

**SIGNED
January 25, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 208.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House Senate Joint Resolution(s) No(s). 516, 517, 518 and 519; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 516 -- Memorials, Retirement - Captain Terry Webb. by *Southerland.

Senate Joint Resolution No. 517 -- Memorials, Retirement - Detective John Huffine. by *Southerland.

WEDNESDAY, JANUARY 25, 2012 – FORTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 518 -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA state champion. by *Southerland.

Senate Joint Resolution No. 519 -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA state runners-up. by *Southerland.

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, January 26, 2012.